

APPLICANT(S): FUDIM, Max et al.
SERIAL NO.: 10/647,212
FILED: August 26, 2003
Page 9

REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-31 are pending in the application.

Claims 1-31 have been rejected.

Claims 1-7, 9-13, 16, 17, 20, 22-24, and 26-31 have been amended in this submission. Applicants respectfully assert that the amendments to the claims add no new matter.

Claims 8 and 25 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

Claim Objections

In the Office Action, the Examiner objected to claims 6, 8, 12, 23 and 25 because of alleged informalities. Claims 6, 12, and 23 have been amended in order to cure these informalities. Claims 8 and 25 have been cancelled without prejudice for reasons unrelated to the objection. Accordingly, Applicants request withdrawal of the objection.

APPLICANT(S): FUDIM, Max et al.
SERIAL NO.: 10/647,212
FILED: August 26, 2003
Page 10

CLAIM REJECTIONS

35 U.S.C. § 112 Rejections

In the Office Action, the Examiner rejected claims 1, 11, and 28 (and their dependent claims) under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner stated that "the phrase 'roaming from a first access point to a second access point by presenting a power saving mode' is unclear because 'presenting a power saving mode' does not cause roaming to occur."

Applicants respectfully traverse the objection. Applicants assert that the phrase is clear, as are the claims. However, in any event, the claims have been amended for unrelated reasons, and accordingly, Applicants respectfully assert that the claims are clear and request that the rejection be withdrawn.

In the Office Action, the Examiner rejected claims 5 and 22 (and their dependent claims) under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner stated that "a supplicant unit to provide a secured connection to a first and a second access point" is unclear because purportedly "a supplicant unit is not used to provide secure connections to access points."

Applicants traverse the rejection. In particular, the supplicant unit is used in connection with providing a secure connection between the supplicant unit and the access point, and accordingly, the phrase is clear. Applicants respectfully assert that the claims are clear and request that the rejection be withdrawn.

APPLICANT(S): FUDIM, Max et al.
SERIAL NO.: 10/647,212
FILED: August 26, 2003
Page 11

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1-7, 11-16, 19, 22-24 and 28-31 under 35 U.S.C. § 102(e), as being anticipated by Diepstraten et al. (US Patent No. 5,991,287).

As is well established, in order to successfully assert a *prima facie* case of anticipation, the Office Action must provide a single prior art document that includes every element and limitation of the claim or claims, presented in accordance with the claim(s) being rejected. That is, M.P.E.P. § 2142 specifies that the initial burden to establish a *prima facie* showing rests with the Office Action. If the Office Action does not establish the prerequisite *prima facie* showing, Appellants are not under any obligation to rebut the rejection because per the MPEP, the rejection is improper for failure to establish a *prima facie* showing.

First, the Diepstraten reference discloses "System and method for providing seamless handover in a wireless computer network" however, the Diepstraten reference does not disclose a mechanism for handover in a secured wireless computer network. The Examiner has stated that Diepstraten discloses establishing secured connection with the second access point, citing to block 408 in Fig. 4, which the Examiner states "must be done in a secured connection." Applicants respectfully disagree. Diepstraten does not disclose handover in a secured wireless computer network, and there is nothing inherent about operating in a secured environment versus an unsecured environment, as described in Diepstraten. In order for a reference to inherently disclose a claim element,

Secondly, Diepstraten recites a different method of handover from a first AP to a second AP than that claimed in the present application. For example, Diepstraten does not disclose **claim 1**, which recites a method of roaming from a first access point to a second access point comprising "presenting a second power saving mode on the second port to the second access point; while dissociating with said first access point" as recited in claim 1.

Moreover, because Diepstraten does not disclose handover in a secured environment, it does not anticipate **claim 2**, which recites "creating a port authentication entity on the second port with the second access point."

APPLICANT(S): FUDIM, Max et al.
SERIAL NO.: 10/647,212
FILED: August 26, 2003
Page 12

Therefore, **claim 1**, and **claims 2-4**, which depend directly or indirectly therefrom, are allowable over Diepstraten. For similar reasons, **claim 28**, and **claims 29-31**, which depend directly or indirectly therefrom, are allowable over Diepstraten.

Regarding **claims 5 and 22**, for reasons similar to those discussed above, Diepstraten does not disclose an apparatus or a mobile station "capable of secure roaming from a first access point to a second access point". More particularly, Diepstraten does not disclose "a supplicant unit to provide first and second secured connections to a first and a second access point on first and second ports, respectively, and to present a power saving mode to the first access point while unauthorized the second port to enable establishment of the second secured connection with the second access point."

Regarding **claims 6 and 23**, Diepstraten does not disclose establishing a supplicant unit able to "wherein the supplicant unit is able to present the power saving mode to the second access point while disassociating with the first access point" as recited therein.

Therefore, **claims 5 and 22**, and **claims 6, 7, 23, and 24**, which depend directly or indirectly therefrom, are allowable over Diepstraten.

Regarding **claims 11-16 and 19**, Applicants reiterate the reasons for allowance stated above. In particular, Diepstraten does not disclose or render obvious "a station to roam from a first secure link with a first access point to a second secure link with a second access point, wherein the station includes a supplicant unit to present a first power saving mode to the first access point while establishing the secured connection with the second access point and a second power saving mode with the second access point disassociating with the first access point," as recited in claim 11. Claims 12-16 and 19 are allowable as dependent on allowable claim 11.

APPLICANT(S): FUDIM, Max et al.
SERIAL NO.: 10/647,212
FILED: August 26, 2003
Page 13

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 8-10, 20, 21 and 25-27 under 35 U.S.C. § 103(a), as being unpatentable over Diepstraten et al. in view of Liu et al. (US Patent No. 7,177,637). Applicants traverse the rejection based at least in part on the following comments. Claims 8 and 25 have been cancelled without prejudice for reasons unrelated to the rejection.

Regarding claims 9 and 10, neither Liu nor Diepstraten, taken together or separately discloses "a supplicant unit to provide first and second secured connections to a first and a second access point on first and second ports, respectively, and to present a power saving mode to the first access point while unauthorized the second port to enable establishment of the second secured connection with the second access point" as recited in claim 5, from which claims 9 and 10 depend.

Regarding claim 9 in particular, neither Liu nor Diepstraten, taken together or separately discloses "wherein the first port is authorized and the second port is in an unauthorized mode while performing a secured communication with the first access point" as recited.

Regarding claim 10 in particular, neither Liu nor Diepstraten, taken together or separately discloses "wherein the second port is authorized and the first port is in an unauthorized mode while in secured communication with the second access point" as recited.

Regarding claims 20-21, neither Liu nor Diepstraten, taken together or separately discloses "a station to roam from a first secure link with a first access point to a second secure link with a second access point, wherein the station includes a supplicant unit to present a first power saving mode to the first access point while establishing the secured connection with the second access point and a second power saving mode with the second access point disassociating with the first access point" as recited in claim 11, from which claims 20-21 depend.

Regarding claim 20 in particular, neither Liu nor Diepstraten, taken together or separately discloses "wherein the first port is authorized while performing the secured communication with the first access point and the second port is in unauthorized to enable an

APPLICANT(S): FUDIM, Max et al.
SERIAL NO.: 10/647,212
FILED: August 26, 2003
Page 14

authentication protocol to initiate the secure connection with the second access point" as recited.

Regarding **claim 21** in particular, neither Liu nor Diepstraten, taken together or separately discloses "wherein the second port is authorized while performing a secured communication with the second access point and the first port is unauthorized" as recited.

Regarding **claims 26 and 27**, neither Liu nor Diepstraten, taken together or separately discloses "a supplicant unit to provide first and second secured connections to a first and a second access point on a first and second ports, respectively, and to present a power saving mode to the first access point while unauthorized the second port to enable establishment of second secured connection with the second access point" as recited in claim 22, from which claims 26 and 27 depend.

Regarding **claim 26** in particular, neither Liu nor Diepstraten, taken together or separately discloses "wherein the first port is authorized while performing a secured communication with the first access point and wherein the second port is in an unauthorized mode" as recited.

Regarding **claim 27** in particular, neither Liu nor Diepstraten, taken together or separately discloses "wherein the second port is authorized while in secured communication with the second access point and the first port is in an unauthorized mode" as recited.

In the Office Action, the Examiner rejected claims **17 and 18** under 35 U.S.C. § 103(a), as being unpatentable over Diepstraten et al. in view of Luo (US Patent Application Publication No. 2003/0169713).

Regarding **claims 17 and 18**, neither Luo nor Diepstraten, taken together or separately discloses "a station to roam from a first secure link with a first access point to a second secure link with a second access point, wherein the station includes a supplicant unit to present a first power saving mode to the first access point while establishing the secured connection with the second access point and a second power saving mode with the second

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APPLICANT(S): FUDIM, Max et al.
SERIAL NO.: 10/647,212
FILED: August 26, 2003
Page 15

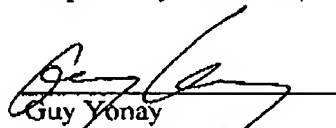
access point disassociating with the first access point" as recited in claim 11, from which claims 17 and 18 depend.

In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,



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